GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – E.F.S. & T. Department - Disciplinary proceedings initiated against Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division under Rule 9 of A.P.Revised Pension Rules, 1980 read with Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 - Inquiry conducted – Imposition of penalty of "Withholding of two percent (2%) of his monthly pension for a period of one (1) year" against the Charged Officer Sri B.M.Chankya Raju, Assistant Conservator of Forests (Retd.) - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE& TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.MS.No. 12 **Dated: 03-03-2025**

Read the following:-

1.From the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur, letter Rc.No.6166/2016/A&DC-1, dated 22.05.2017; 13.09.2023 & 16.02.2024.
2.G.O.Ms.No.16, E.F.S. & T. (Sec.IV) Department, dated 05.03.2024.
3.G.O.Rt.No.43, E.F.S. & T. (Sec.IV) Department, dated 05.03.2024.
4.G.O.Rt.No.57, E.F.S. & T. (Sec.IV) Department, dated 27.05.2024
5.G.O.Rt.No.58, E.F.S. & T. (Sec.IV) Department, dated 27.05.2024.
6.Inquiry Report dated 26.07.2024 of Inquiry Officer & Conservator of Forests & Research & Development Circle, Mangalagiri received through Letter Ref. No.6166/2016/A&DC-3, dated 18.08.2024 of the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri.
7.Govt. Memo. No.2312/Sec.IV/2017, E.F.S. & T. (Sec.IV) Department, dated 27.09.2024.
8.From Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), written representation, dated 21.11.2024.
9.Govt. Memo.No.2312/Sec.IV/2017, E.F.S. & T. (Sec.IV) Department, dated 21.01.2025.
10.From Sri B.M.Chanakya Raju, Assistant Conservator of Forests Retd.), written representation, dated 03.02.2025.

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ORDER:

In the letters 1st read above, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Guntur has stated that the Article of Charge was issued to Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier Forest Range Officer, Kurnool Range of Kurnool Division in PCCF & HoFF Ref.No.7435/2012/P2, dated 10.07.2023 on the allegations that he has committed irregularities in recommending for shifting of Sawmills within a distance of 5Kms Rules, 1969 and G.O.Ms.No.91, dated 11.07.2006. The case was entrusted to departmental inquiry and the Conservator of Forests & Inquiry Officer has submitted his findings dated 14.05.2014 wherein he has held that the Charge framed against the Charged Officer was held proved. The findings of the Inquiry Officer were communicated to the Charged Officer with a direction to submit his written representation, vide Ref.No.6166/ 2016/A&DC-1, dated 13.04.2016. Aggrieved by the above, the Charged Officer has approached the Hon'ble A.P. Administrative Tribunal by filing O.A.No.3069/2016. The Hon'ble A.P. Administrative Tribunal in its Orders dated 15.02.2017 in O.A.No.3069/2016 has set-aside the Charge Memo. in Ref.No.7435/2012/P2, dated 10.07.2013 of the 2nd respondent and consequent letter No.600/2012/M3, dated 14.05.2014 of the 3rd respondent and Final Notice in Ref.No.6166/2016/A&DC-1, dated 13.06.2016 of the 2nd respondent.

2. He has further stated that, aggrieved by the Orders of Hon'ble A.P. Administrative Tribunal, Department has filed W.P.No.41485 of 2017 before the Hon'ble High Court of A.P. The Hon'ble High Court in its Orders dated 25.07.2023 in W.P.No.41485 of 2017 held that –

P.T.O.

"In the result, the Writ Petition is allowed. The impugned judgement & order of the Tribunal is quashed, with the direction to the petitioners to take appropriate steps to serve charge memo, duly framing the charge, giving the complete particulars of the alleged violation of G.O.Ms.No.91, dated 11.07.2006 and proceed, in accordance with law, against the respondent and bring the proceedings to a logical end within a period of 6 (six) months.

3. In the G.Os. 2nd and 3rd read above, orders have been issued according sanction for initiation of disciplinary action against the Charged Officer Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division, under Rule 9 of A.P. Revised Pension Rules, 1980, as he was retired from Government Service on 31.07.2017 on attaining the age of superannuation and the following Article of Charge was issued against him, under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991:-

Article: "That Sri B.M. Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier Forest Range Officer, Kurnool Range, Kurnool (T) Division had committed irregularities in recommending for shifting of Sawmills within a distance of from the nearest RF boundary, in violation to Rule (3) of A.P. Saw Mills (Regulation) 5 Kms from the nearest R.F Boundary, in violation to the G.O.Ms.No.91, E.F.S. & T. (FOR-III) Department, dated 11.07.2006, thereby, violated his legitimate duties prescribed under Section 155 of A.P. Forest Department Code Volume-I".

4. The Charged Officer has submitted his Written Statement of Defence dated 15.03.2024. Not convinced by the Written Statement of Defence submitted by the Charged Officer, orders have been issued in G.Os. 4th & 5th read above, appointing Smt. R.Yasoda Bai, IFS, CF, R&D Circle, Mangalagiri and Smt. P.Syamala, IFS., DFO., Kurnool as an Inquiry Officer & Presenting Officer respectively, for conducting the regular inquiry into the charge framed against Sri B.M.Chanakya Raju, Asst. Conservator of Forests (Retd.).

5. In the reference 6th read above, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri has furnished the findings of the Inquiry Officer & Conservator of Forests, Research & Development Circle, Mangalagiri wherein, the Inquiry Officer has concluded that the charge framed against the Charged Officer Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.) was held proved.

6. In the reference 7th read above, the findings of the Inquiry Officer was communicated to the Charged Officer Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), under Rule 21 (2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 for submission of his written representation on the findings of Inquiry Officer.

7. In the reference 8th read above, the Charged Officer has submitted his written representation and requested the Government to drop further action in the interest of natural justice and equity. His representation on the findings of the Inquiry Officer has been examined and in the reference 9th read above, a show cause notice has been issued to the Charged Officer Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.) duly indicating the provisional decision on the quantum of punishment to be imposed against him i.e., "Withholding of two percent (2%) of his monthly pension for a period of one (1) year", under Rule 9 of A.P. Revised Pension Rules, 1980.

8. In the reference 10th read above, the Charged Officer Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.) has submitted his written representation

(Contd.P-3)

and requested the Government to drop further action against him in the interest of natural justice and equity. The written representation of the Charged Officer has been examined in detail and observed that he has not put-forth any new grounds/valid points to re-consider his written representation.

9. Government after careful examination of the entire matter, have decided to confirm the provisional decision to impose a penalty of "Withholding of two percent (2%) of his monthly pension for a period of one (1) year" against the Charged Officer Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division, since the charge framed against him was held proved, under Rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, Government hereby order to impose a penalty of "Withholding of two percent (2%) of his monthly pension for a period of one (1) year" against the Charged Officer Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division, since the charge framed against him was held proved, under Rule 9 of A.P. Revised Pension Rules, 1980.

10. The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.),
earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division
through the Principal Chief Conservator of Forests & Head of Forest Force,
A.P., Mangalagiri.
The Principal Chief Conservator of Forests & Head of Forest Force,
A.P., Mangalagiri.

Copy to:

The Accountant General (A&E), Andhra Pradesh, Vijayawada.
SF/SCs (Computer No.2045409).

//FORWARDED::BY ORDER //

SECTION OFFICER